

On motion of Senator Flanagan, the rules were suspended to take from file Senate bill No. 437, "An act to regulate in part the receipt and disbursement of public money." Read second time.

On motion of Senator Dohoney, the amendments reported by the Judiciary Committee were adopted, and the bill passed to engrossment.

On motion of Senator Flanagan the bill was ordered engrossed and passed to a third reading as amended.

On motion of Senator Flanagan the rules were further suspended, and Senate bill No. 437 read third time and passed.

By leave, Senator Bell introduced a bill (Senate bill No. 448) to be entitled "An act to prescribe the times for the regular annual session of the Legislature for the year eighteen hundred and seventy-two." Read first time.

Senator Bell moved to suspend the rules to read the bill a second time. Lost.

On motion of Senator Flanagan, Senate bill No. 448 was referred to the Committee on State Affairs with instructions to report on Monday, and the bill and report made the special order for 12 M. of that day.

On motion of Senator Hertzberg, the rules were suspended to take from file House bill No. 405, "An act to amend 'an act prescribing the times of holding the district courts in the several judicial districts in the State.'" Read second time.

On motion of Senator Flanagan, the Senate, at 11:30 A. M., adjourned to 10:30 A. M. Monday.

SIXTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Monday Sept. 18, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent—Senators Fountain, Pridgen, Saylor and Shannon.

Absent, excused—Senator Pickett.

Prayer by the Chaplain.

Journal of Saturday read and adopted.

On motion of Senator Mills, Senator Saylor was excused for the day on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Baker: A petition of the judge and attorneys-at-law of the Seventeenth Judicial District, praying that the time of holding the district court in said district be changed," etc. Petition read.

Senator Baker moved to refer the petition to a select committee three. Carried.

The President appointed as such committee, Senators Baker, Hertzberg and Pridgen.

REPORTS OF STANDING COMMITTEES.

Reports of Committee on State Affairs:

COMMITTEE ROOM,
Austin, Sept. 15, 1871.

DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred Senate bill No. 444, "An act to amend 'an act to incorporate the city of Corsicana, in Navarro county,' approved May 31, 1871," have carefully considered the same, and instruct me to report it back and recommend its passage with the following amendment: amend by adding to section three the following words: "of aldermen; provided, the salary of the mayor shall not exceed three hundred dollars."

Respectfully,

S. W. FORD, Chairman.

COMMITTEE ROOM,
Austin, Sept. 15, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred Senate bill No. 489, entitled "An act to exempt certain persons from serving on juries," have carefully considered the same, and instruct me to report it back and recommend its passage.

Respectfully,

S. W. FORD, Chairman.

COMMITTEE ROOM, }
Austin, Sept. 15, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on State Affairs, to whom was referred Senate bill No. 447, entitled "An act to incorporate Tyler Chapter No. 24, Royal Arch Masons, located at Tyler, Smith county, Texas," have carefully considered the same, and instruct me to report it back with the accompanying amendments and recommend its passage :

Amend section 1, line 13—strike out the word "perpetual."

Amend section 5 by adding the following words: "and continue in force for ninety years."

S. W. FORD, Chairman.

Reports read and laid over under the rules.

On motion of Senator Pyle the rules were suspended to take from file Senate bill No. 444, "An act to amend an act entitled 'an act to incorporate the city of Corsicana, in Navarro county,' approved May 31, 1871." Read second time.

On motion of Senator Mills the amendments reported by the Committee on State Affairs were adopted. Bill ordered engrossed and passed to a third reading as amended.

On motion of Senator Pyle the rules were further suspended and Senate bill No. 444 read third time and passed.

On motion of Senator Cole the rules were suspended to take from file House bill No. 437, "An act to incorporate the town of Sulphur Springs, in Hopkins county." Read second time and passed to a third reading.

On motion of Senator Cole the rules were further suspended, and House bill No. 437 read third time and passed.

On motion of Senator Ford the rules were suspended to take from file House bill No. 340, "An act to incorporate the Bosque Bridge and Manufacturing Company of McLennan county." Read second time and passed to a third reading.

On motion of Senator Ford the rules were further suspended and House bill No. 340 read third and passed.

Under direction of the President the Secretary returned to the House House bill No. 671, "An act to provide for the creating of two new counties out of the territory now embraced within the limits of Refugio county, and to provide for their organization," and informing the House that the Senate had passed the same with amendment.

Also, without amendment, House bill No. 340, "An act to in-

corporate the Bosque Bridge and Manufacturing Company of McLennan county."

Also, House bill No. 437 "An act to incorporate the town of Sulphur Springs in Hopkins county."

On motion of Senator Baker, the rules were suspended to take from file House bill No. 78, "An act making an appropriation for repairing and improving the State Cemetery." Read second time and passed to a third reading.

On motion of Senator Baker, the rules were further suspended and House bill No. 78 read third time and passed by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Shannon, Tendick—23.

Nays—None.

BILLS AND RESOLUTIONS.

By Senator Ruby: A bill (Senate bill No. 449) to be entitled "An act to authorize and require the Commissioner of the General Land Office to issue patents upon certain surveys made on the island of Galveston by Sydney T. Fontaine, Harry W. Rhodes, Wm. McCarty, Thomas Hanley, George Fry and William McDonald, or their assigns, by virtue of land scrip issued by the Republic of Texas to Thomas Tobey." Read first time and referred to Committee on Private Land Claims.

By Senator Rawson: A bill (Senate bill No. 450) to be entitled "An act to incorporate the Marshall Salamander Fire Company No. 1, of the city of Marshall, Harrison county, Texas." Read first time and referred to the Committee on Internal Improvements.

By Senator Flanagan: A bill (Senate bill No. 451) to be entitled, "An act to encourage the establishment of mills for the manufacture of cotton and woolen goods, by exempting such mills from taxation." Read first time and referred to the Committee on State Affairs.

By Senator Dohoney: A bill (Senate bill No. 452) to be entitled. "An act for the relief of tax payers." Read first time and referred to the Committee on Judiciary.

By Senator Bowers: A resolution, (Senate joint resolution No. 40) "Joint resolution, leasing certain real estate in the city of Austin, the property of the State of Texas, to certain masonic bodies for the erection of a masonic temple thereon." Read first time and referred to Committee on Judiciary.

By Senator Dohoney: A bill (Senate bill No. 453) to be entitled "An act to organize and incorporate the Paris and Bonham Tap of the Missouri, Kansas and Texas Railroad." Read first time and referred to the Committee on Internal Improvements.

By Senator Pridgen: A bill (Senate bill No. 454) to be entitled, "An act to incorporate the Rockport, Fulton, Loreda and Mexican Pacific Railroad Company." Read first time and referred to the Committee on Internal Improvements.

11 o'clock A. M.

SPECIAL ORDER.

Senate joint resolution No. 39, "Authorizing the Governor to issue an election order," etc.

Senator Baker offered the following amendment: After the word "authorized" insert "and required." Adopted.

Senator Douglas moved to postpone the further consideration of the resolution until to-morrow at 11 A. M.

Yeas and nays called for and motion lost by the following vote:

Yeas—Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Latimer, Pyle, Shannon—9.

Nays—Mr. President, Baker, Bell, Flanagan, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Tendick—16.

Senator Bell moved the engrossment of the resolution.

Yeas and nays called for, and Senate joint resolution No. 39 ordered engrossed by the following vote:

Yeas—Mr. President, Baker, Bell, Broughton, Dohoney, Flanagan, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick—20.

Nays—Bowers, Cole, Douglas, Evans, Latimer—5.

Senator Gaines moved to suspend the rules to place the resolution on its third reading.

Yeas and nays called for, and motion to suspend the rules lost by the following vote:

Yeas—Mr. President, Baker, Bell, Flanagan, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pridgen, Rawson, Ruby, Tendick—16.

Nays—Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Latimer, Pyle, Shannon—9.

President Campbell submitted the following communication from Mr. D. M. Porter, Engrossing Clerk of the Senate:

AUSTIN, TEXAS, Sept. 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I respectfully tender my resignation as Engrossing Clerk of the Senate.

Very respectfully, your obedient servant,

D. M. PORTER.

Communication read, and on motion of Senator Gaines, the resignation was accepted.

On motion of Senator Latimer the rules were suspended to take from file House bill No. 689, "An act amendatory of an act entitled 'an act prescribing the times of holding the district courts in the Seventh Judicial District of the State,' approved March 4, 1871." Read first time and passed to a second reading.

On motion of Senator Pyle the rules were further suspended and House bill No. 689 read second time.

Senator Latimer offered the following amendment, which was adopted: Strike out the word "Davis" wherever it occurs and insert in lieu thereof the word "Cass." Bill passed to a third reading.

On motion of Senator Baker the rules were further suspended, and House bill No. 689 read third time as amended, and passed.

Senator Dohoney offered the following resolution:

WHEREAS, Two of the members of the Judiciary Committee, to-wit: Senators Fountain and Pickett, are absent; and

Whereas, Nearly all matters of importance now coming before the Senate are referred to the Judiciary Committee; therefore,

Resolved, That the President of the Senate be and he is hereby requested to add to said committee all the Senators who are lawyers.

Senator Ruby moved that the resolution be referred to the Committee on Judiciary. Lost.

The question being on the adoption of the resolution, on motion of Senator Dohoney it was adopted.

On motion of Senator Evans the rules were suspended to take from file House bill No. 548, "An act to prohibit the sale of intoxicating liquors in the vicinity of Scyene Masonic Male and Female Institute." Read first time and passed to a second reading.

On motion of Senator Evans, the rules were further suspended and the bill read second time and passed to a third reading.

On motion of Senator Evans, the rules were further suspended and House bill No. 548 read third time and passed.

On motion of Senator Gaines, the rules were suspended to take from file House bill No. 381, "An act to authorize the county

courts of the several counties in this State to levy a road tax and to lease the roads on certain conditions." Read second time.

Senator Mills moved that House bill No. 381 be referred to the Committee on Finance. Lost.

On motion of Senator Broughton, House bill No. 381 was indefinitely postponed.

Senator Bell moved a suspension of the rules to take from file House bill No. 249, "An act to incorporate the Galveston and New Orleans Railway Company."

Motion to suspend the rules lost.

Senator Mills moved that the Senate stand adjourned to 10½ A. M. to-morrow.

Yeas and nays called for, and motion to adjourn carried by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Evans, Flanagan, Hall, Latimer, Mills, Parsons, Pridgen, Pyle, Rawson—13.

Nays—Broughton, Cole, Dehoney, Douglas, Ford, Gaines, Hertzberg, Hillebrand, Pettit, Ruby, Shannon, Tendick—12.

So the Senate at 11:30 A. M. adjourned to 10½ A. M. to-morrow.

SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Tuesday, Sept. 19, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent—Senators Fountain and Saylor.

Absent, excused—Senator Pickett.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Under authority of the resolution of yesterday, the President announced the following additional members of the Judiciary Committee: Senators Flanagan, Douglas, Mills and Broughton.

PETITIONS AND MEMORIALS.

By Senator Rawson: A petition of J. N. Coleman, asking to be relieved of the payment of occupation tax. Read and referred to the Committee on Judiciary.

On motion of Senator Flanagan, Senator Saylor was excused for the day on account of illness.